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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,882	02/02/2005	Alfred Mueller	004501-797	5246
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EXAMINER GATES, ERIC ANDREW				
ART UNIT		PAPER NUMBER		
3726				
NOTIFICATION DATE		DELIVERY MODE		
09/03/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

Office Action Summary**Application No.**

10/522,882

Applicant(s)

MUELLER ET AL.

Examiner

Eric A. Gates

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2 June 2008 has been entered.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7-11, 14, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Morawski et al. (US 4,540,187). Morawski et al. '187 shows in Figures 1-4 a method of clamping a rotationally symmetrical body (W) with its first side (tapered side as viewed in Fig. 1) pulled by means of a tensile force (22,36,38) which acts in extension of the rotation axis of the body on the first side of the body against a supporting element (62) having a centering effect, wherein the supporting element is acted upon with a spring force (86, see column 2, lines 43-45) which is opposed to the

tensile force, wherein the spring force is slightly smaller than the tensile force (must be in order for chuck to operate) and is proportioned in such a way that when the body strikes the supporting element, the supporting element first of all yields in the axial direction. Morawski et al. '187 shows clamping the body while the tensile force pulls the body (axial movement of drawbar connected through threaded socket (30) of puller shaft (22) provides tensile force which pulls body during clamping action), wherein the body is centered by a centering device (60) which is arranged radially outward of said supporting element (acting surface 98 of centering device 60 is radially outward of acting surface 100 of supporting element 62). Morawski et al. '187 shows the tensile force being transmitted to the body by means of a tie rod (22) which is connected to the body by means of a quick-action coupling (via collet 38). Morawski et al. '187 shows the tie rod guided with radial clearance axially and concentrically (must be in order for chuck to operate) to the rotation axis of the rotationally symmetrical body. Morawski et al. '187 shows the body with a centering region (tapered portion as seen in figure 1), which is arranged at an axial distance from the first side of the body and is oriented in the same direction as the first side of the body, is pulled against the centering device (60). Morawski et al. '187 shows the spring force, tensile force and configuration of supporting element are selected in accordance with the body to be clamped. Morawski et al. '187 shows the supporting element provided with supporting surfaces (100) which are arranged concentrically to the rotation axis of the body to be clamped and which are inclined toward the rotation axis or are contiguous along a defined circumference and form an annular supporting ring. Morawski et al. '187 shows the centering device (60) is

provided at a an axial distance form the supporting element, wherein the centering device is provided with centering surfaces (98) which are arranged concentrically to the rotation axis of the body to be clamped and are inclined toward the rotation axis. Morawski et al. '187 shows the centering surfaces (98) are distributed uniformly over the circumference and are contiguous along a defined circumference and form an annular centering surface (as seen in figures 1 and 2). Morawski et al. '187 shows wherein the centering device (60) is disk-shaped (as seen in figure 2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morawski et al. (US 4,540,187) in view of Clavell (US 3,019,039) and Kempton et al. (U.S. Patent 1,692,379).

5. Regarding claim 6, Morawski et al. '187 lacks the body being a rotor with integrally formed moving blades, or wherein the centering device is selected which has centering surfaces engaging between the moving blades in a finger-like manner. Clavell '039 shows in Figures 1 and 2 a rotor (1) with integrally formed moving blades (2) that is clamped concentrically on a rotatable shaft 4 for the purpose of maintaining the concentricity during rotation. Kempton et al. '379 shows centering devices 41 on a

workholder 10 that are used for the purpose of engaging between the roots of gear teeth in a finger-like manner so as to maintain the gear in its relative rotational position on the workholder. Therefore it would have been obvious to one of ordinary skill in the art to have replaced the clamped work piece and centering device of Morawski et al. '187 with a rotor having integrally formed blades as taught by Clavell '039 and the centering devices as taught by Kempton et al. '379 in order to increase the versatility of the clamping device through the ability to clamp work pieces with a plurality of blade-like structures.

6. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morawski et al. (US 4,540,187) in view of Clavell (US 3,019,039).

7. Regarding claims 12 and 13, Morawski et al. '187 lacks the body being a rotor having a hub on a first side including moving blades integrally formed on the hub, wherein the hub projects beyond the moving blades. Clavell '039 shows in Figures 1 and 2 a rotor (1) having a hub (3) on a first side including moving blades (2) integrally formed on hub, wherein the hub projects beyond the moving blades. Therefore it would have been obvious to one of ordinary skill in the art to replace the clamped work piece of Morawski et al. '187 with a rotor having a hub with integrally formed blades as taught by Clavell '039 in order to increase the versatility of the clamping device through the ability to accommodate clamping work pieces with a plurality of blade-like structures.

Response to Arguments

8. Applicant's arguments with respect to independent claims 1 and 7 have been considered but are moot in view of the new ground(s) of rejection.
9. For the reasons as set forth above, the rejections are maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric A. Gates whose telephone number is (571)272-5498. The examiner can normally be reached on Mon-Thurs 8:45 - 6:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eric A. Gates/
Examiner, Art Unit 3726
28 August 2008